

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 040209X105	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/009194	International filing date (day/month/year) 30.06.2004	Priority date (day/month/year) 01.07.2003
International Patent Classification (IPC) or national classification and IPC G06F13/12		
Applicant T & D CORPORATION		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>1</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table><tr><td><input checked="" type="checkbox"/></td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report																								
Name and mailing address of the IPEA/JP	Authorized officer																								
Facsimile No.	Telephone No.																								

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International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-19 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 2-9 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1 _____ received by this Authority on 28.04.2006
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets fig. 1-7 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-9	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-9	NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP 2003-518785 A (Fotonation Inc.), 10 June 2003, & WO 2000/001138 A2, & US 6628325 B1

Document 2: JP 2003-92787 A (NTT Software Kabushiki Kaisha), 28 March 2003 (Family: none)

Document 3: JP 2003-99207 A (Fuji Photo Film Co., Ltd.), 4 April 2003, & US 2003/0061408 A1

Document 4: JP 2003-108539 A (Hitachi Kokusai Electric Inc.), 11 April 2003 (Family: none)

The invention set forth in claims 1 to 3, 8, and 9 does not involve an inventive step in the light of the invention disclosed in document 1 cited in the international search report. A comparison of the invention set forth in claims 1 to 3, 8, and 9 and the invention disclosed in document 1 reveals that the two differ in that (a) the invention set forth in claims 1 to 3, 8, and 9 is characterized by storing a script file specified by a script language in a semiconductor integrated circuit device, whereas the invention disclosed in document 1 is characterized by storing a program in a communications device, and (b) in the invention set forth in claims 1 to 3, 8, and 9, script

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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file management is opened to the user, but firmware management is restricted.

As regards difference (a), a person skilled in the art could easily conceive of using a script language as the program.

As regards difference (b), restricting user access to specified data is a known constitution, and thus, a person skilled in the art could appropriately allow management of a script file by a user while restricting management of firmware.

Moreover, it is obvious that the communications device disclosed in document 1 is equipped with firmware.

The invention set forth in claims 4 and 5 does not involve an inventive step in the light of document 1 and document 2 cited in the international search report. A person skilled in the art could easily conceive of equipping the communications device disclosed in document 1 with the Web server function disclosed in document 2 (page 5, left column, lines 22 to 36, for example).

The invention set forth in claim 6 does not involve an inventive step in the light of document 1 and document 3 cited in the international search report. A person skilled in the art could easily conceive of equipping the communications device disclosed in document 1 with the USB mass storage class access feature disclosed in document 3 (page 2, right column, lines 29 to 42, for example).

The invention set forth in claim 7 does not involve an inventive step in the light of document 1 and document

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

4 cited in the international search report. A person skilled in the art could easily conceive of equipping the communications device disclosed in document 1 with the time information acquisition feature using SNTP disclosed in document 4 (page 2, left column, line 42 to right column, line 1, for example).

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 1 to 9 state that "management of the
aforementioned script file is opened to a user, but
management of the aforementioned firmware is restricted,"
but it is unclear what specific processes are meant by
said "opened" and "restricted."